

**CALIFORNIA ALTERNATIVE ENERGY & ADVANCED TRANSPORTATION
FINANCING AUTHORITY**
Meeting Date: July 22, 2009
*Request for Approval of the Release of the JELD-WEN, INC.
Mortgage and Authorizing the Executive Director to Execute a Satisfaction of
Mortgage*

Prepared by: *Brian Gorban*

Summary: CAEATFA was recently contacted by JELD-WEN, INC. (the “Company”) to release a mortgage on a property in Klamath County, Oregon that was used to secure a \$3,100,000 bond issued on December 21, 1983 by the California Alternative Energy & Advanced Transportation Financing Authority’s (“CAEATFA”) predecessor, the California Alternative Energy Source Financing Authority (“CAESFA”). The Company made timely payments and kept the bonds in good standing with the issue finally maturing on December 1, 1995. This should have been the time the Authority released the mortgage back to the Company, however, the Authority was dormant and not able to execute the agreement.

Background: On December 7, 1983, the CAESFA board convened and approved a final resolution for the Company to issue bonds in an amount not to exceed \$3,100,000. Bonds were then issued on December 14, 1983 with one of the stipulations being that the CAESFA would place a mortgage on property located in Klamath County, Oregon for as long as the bonds were outstanding, which mortgage was recorded December 21, 1983. According to the CAESFA’s annual outstanding bond reports, the Company made timely payments and kept the bonds in good standing with the issue finally maturing on December 1, 1995.

Staff has researched the CAESFA’s records and determined that the application and bond transcript files relating to this deal were destroyed per the CAESFA’s records retention schedule.

Staff Recommendation: Staff recommends approval for the release of the JELD-WEN INC. mortgage and authorizing the executive director to execute the release.

**RESOLUTION OF THE CALIFORNIA ALTERNATIVE ENERGY AND ADVANCED
TRANSPORTATION FINANCING AUTHORITY APPROVING THE REQUEST OF JELD-WEN,
INC. TO FILE A SATISFACTION OF MORTGAGE AND AUTHORIZING THE EXECUTIVE
DIRECTOR TO EXECUTE THE NECESSARY DOCUMENTS**

July 22, 2009

WHEREAS, the California Alternative Energy And Advanced Transportation Financing Authority (the “Authority”), a public instrumentality of the State of California, is authorized and empowered by the provisions of the California Alternative Energy And Advanced Transportation Financing Authority Act (Division 16 (commencing with Section 26000) of the California Public Resources Code) (the “Act”) to issue bonds to finance the acquisition, construction, expansion, remodeling, renovation, improvement, furnishing, or equipping of any Project as that term is defined in Section 26003 of the Act;

WHEREAS, the Authority’s predecessor, the California Alternative Energy Source Financing Authority (“CAESFA”) issued bonds in the amount of \$3,100,000, the proceeds of which were loaned to JELD-WEN, Inc. in December of 1983;

WHEREAS, the CAESFA placed a mortgage on certain real property owned by JELD-WEN, Inc. in Klamath County, Oregon (recorded in the Microfilm Records of Klamath County, Oregon, on December 21, 1983, in Volume M83 on page 21755) to secure repayment of the loan;

WHEREAS, despite the fact that the loan was repaid in full on December 1, 1995, no satisfaction of mortgage was ever filed by CAESFA;

WHEREAS, JELD-WEN, Inc. has now requested the removal of the CAESFA mortgage from the title to the property; and

WHEREAS, the Authority is CAESFA’s successor pursuant to legislation (Stats. 1994, c. 1218 (S.B. 1952)).

NOW, THEREFORE, BE IT RESOLVED by the California Alternative Energy and Advanced Transportation Financing Authority, as follows:

The Authority approves the request of JELD-WEN, Inc. to remove the CAESFA mortgage from the title to the Klamath County, Oregon property and hereby authorizes the Executive Director to execute a Satisfaction of Mortgage, or other release documents as may be required by the Klamath County Clerk, giving affect to the approval.